

# EXHIBIT 1

Approved, SCAO

Original - Court  
1st copy - Defendant2nd copy - Plaintiff  
3rd copy - Return

<b>STATE OF MICHIGAN</b> JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE		<b>SUMMONS</b>	<b>CASE NO.</b> 19-15667-ND
Court address 319 Court Street, Sault Ste. Marie, MI 49783		Court telephone no. (906) 635-6300	
Plaintiff's name(s), address(es), and telephone no(s). ALDA ROUTHIER		Defendant's name(s), address(es), and telephone no(s). WALMART, INC. f/k/a WAL-MART STORES, INC. d/b/a WALMART STORES, INC.	
Plaintiff's attorney, bar no., address, and telephone no. Thomas J. Veum (21826) 216 Ashmun Street P.O. Box 515 Sault Ste. Marie, MI 49783 (906) 635-1513			

**Instructions:** Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

**Domestic Relations Case**

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. Attached is a completed case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

**Civil Case**

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ \_\_\_\_\_ Court, where

it was given case number \_\_\_\_\_ and assigned to Judge \_\_\_\_\_.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

**SUMMONS**

**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party or **take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 7/11/2019	Expiration date* 10/9/2019	Court clerk Steve Winkler - Dep Clerk
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\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

**PROOF OF SERVICE**

**SUMMONS**  
Case No. 19-15667-No

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**☐ **OFFICER CERTIFICATE**

OR

☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)

- ☐ I served personally a copy of the summons and complaint,  
☒ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint,

together with VERY Demand  
 List all documents served with the summons and complaint

\_\_\_\_\_ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time
Walmart, Inc.	Registered Agent, The Corporation Company 30600 Telegraph Road Ste. 2345, Bingham Farms, MI 48025	7/11/19

- ☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee		Signature
\$		\$		
Incorrect address fee	Miles traveled	Fee	TOTAL FEE	Name (type or print)
\$		\$	\$	
				Title

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
 Date

My commission expires: \_\_\_\_\_ Date Signature: \_\_\_\_\_  
 Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the summons and complaint, together with \_\_\_\_\_ Attachments

\_\_\_\_\_ on \_\_\_\_\_  
 Day, date, time

\_\_\_\_\_ on behalf of \_\_\_\_\_  
 Signature

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF CHIPPEWA

Alda Routhier

Plaintiff,

-vs-

Court No. 19-15667-NO

WALMART, INC. f/k/a  
WAL-MART STORES, INC.  
d/b/a WALMART STORES, INC.

Defendant.

Thomas J. Veum  
THOMAS J. VEUM, P.C.  
Attorney for Plaintiff, Alda Routhier  
216 Ashmun Street  
PO Box 516  
Sault Ste. Marie, MI 49783

RECEIVED

JUL 11 2019

50TH CIRCUIT COURT  
CHIPPEWA COUNTY CLERK

**COMPLAINT AND JURY DEMAND**

NOW COMES the Plaintiff, by and through her attorney THOMAS J. VEUM

and for her complaint against the Defendant says as follows:

1. Plaintiff is an adult resident of Chippewa County, Michigan.
2. Defendant is a Delaware corporation conducting business in Chippewa County, Michigan.
3. Defendant's business includes a Wal-Mart store located at 3763 I-75 Business Spur, Sault Ste. Marie, Chippewa County, Michigan.
4. The amount in controversy herein exceeds \$25,000.
5. Venue is proper in Chippewa County, Michigan.

THOMAS J. VEUM, P.C.  
ATTORNEY AT LAW  
216 ASHMUN ST.  
P.O. BOX 516  
SAULT STE. MARIE,  
MICHIGAN 49783



6. On the early afternoon of June 15th, 2016 the Plaintiff was a customer at the Defendant's store and went to the pharmacy to pick-up a prescription and purchase a few small items.
7. Upon leaving the store the Plaintiff was intending to leave through the middle entrance/exit. She walked along a main aisle in a southerly direction. This aisle was located at the front of the store or next to the west wall as she approached the middle entrance/exit intending to turn right when she slipped and fell on a carpet which was on top of a puddle of water which had accumulated from a defective ice machine located at the aforementioned corner of the store
8. Defendant monitors this exit way and corner with closed circuit cameras showing the machine.
9. Upon information and belief, this slippery substance was water which was not visible to Plaintiff or other customers similarly situated because it was covered by the carpet.
10. The Defendant knew or should have known of the hazard presented in the designated main exit way and the accumulating invisible water from the defective ice machine which had remained there for several hours without the Defendant taking action to correct it or warn customers of the defect.
11. Plaintiff did not see the hazard presented by Defendant's failure to maintain the premises in a reasonably safe condition and failure to warn of dangers and failure to inspect and discover possible dangers that a reasonable person would not identify from casual inspection.
12. Plaintiff did lose her footing, slipped and fell against the ice machine and then onto the floor which severely and permanently damaged her right shoulder and neck as well as other injuries as a consequence of this trauma to her person.
13. The hazard presented to the Plaintiff was effectively unavoidable as it was one of the three main exits in the Defendant's store that the Plaintiff had intended to use.
14. Defendant owed a duty to Plaintiff to maintain the premises with reasonable care. Defendant breached this duty and was negligent in one or more of the following ways:
  - A) Failing to maintain the premises in a reasonably safe condition.

- B) Failing to adequately inspect, test, evaluate and/or assess the premises for hazards including readily-identifiable conditions that present an unreasonable risk of harm to invitees such as the Plaintiff.
- C) Failing to warn the Plaintiff of the hazard created.

15. The Defendant's breach of duty was the legal and proximate cause of Plaintiff's injury.

16. As a result of Defendant's negligence, Plaintiff has and will in the future suffer pain and limitation of her enjoyment of life.

17. Plaintiff has incurred medical expenses, loss of mobility and motion, disability and pain and suffering.

WHEREFORE, Plaintiff prays for a Judgement against the Defendant to adequately compensate her for her injury and damage.

THOMAS J. VEUM, P.C.

Dated: 7/9/19

BY: Thomas J. Veum

Thomas J. Veum  
Attorney for Plaintiff Routhier

#### DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury in this matter

Dated: 7/9/19

BY: Thomas J. Veum

Thomas J. Veum  
Attorney for Plaintiff Routhier